IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

Public Interest Litigation NO. 157 OF 2006

Dattar Parulekar & others ...Petitioners

vs.

The Deputy Director of Education Mumbai
and others ...Respondents

Shri Mahesh Thatte i/b Mr. S.V. Phadke for Petitioners

CORAM: SWATANTER KUMAR, C.J.
& S.C. DHARMADHIKARI, J

April, 2007.

Judgment Reserved on 5th April, 2007.
Judgment delivered on 19th April, 2007

Judgment (Per S.C. DHARMADHIKARI, J.)

The Petitioners are teachers and claim to be experts in the field of Art and Craft. They claim a writ of Mandamus directing the Respondents to forthwith make the subject of Art, uniform and compulsory from Standard I to Standard X as per National Education Policy, so also to continue with the subject of Art till Junior College and ancilliary reliefs.

2. Having heard the learned Advocate appearing for the Petitioners and

perused the Petition so also the annexures thereto, we are of the view that no relief can be granted to the Petitioners in the exercise of the powers conferred upon this Court by Article 226 of the Constitution of India.

3. We need not reiterate the settled principles. This Court in exercise of its Writ Jurisdiction cannot interfere in academic and educational matters. More particularly, in the nature of preparation of syllabi and curriculum or subjects so also prescribing text books and other materials therefor. These are matters which are best left to experts in the field of Education and Academics. Educational Policies are framed by the State and other High powered officials after due consultation with the expert bodies and Boards constituted under relevant statutory Enactments. These are policy matters and the Court should stay out of formulation of any policies, more so, in the field of education.

4. It would be better and proper if the Petitioners approach the statutory bodies and academic experts with their suggestions and grievances and we have no doubt in our mind that all those Incharge of framing policies would look into them. We are, however, unable to issue any directions as prayed for. Petition stands dismissed with no order as to costs.

(CHIEF JUSTICE)

(S.C. DHARMADHIKARI J.)